

**County of Los Angeles MS4 Reopener****Change Sheet for Revised Tentative Findings**

Proposed Additions are Underlined and Deletions are in Strikethrough

Change 1. In the proposed finding 32 on page 12-9 of the Board package clauses (a) and (b) are unchanged. Clauses (c) and (d) are now combined into one clause, and the new clause (c) is modified as follows:

32. The iterative approach to regulating municipal storm water is not an appropriate means of implementing the SMB or the MDR Summer Dry Weather WLAs for any and all of the following reasons: (a) The WLAs do not regulate the discharge of storm water; (b) The harm to the public from violating the WLAs is dramatic both in terms of health impacts to exposed beachgoers, and the economic cost to the region associated with related illnesses; (c) Under the iterative approach over three permit cycles, required elements of the MS4 permit ~~Despite the fact that more than a decade and a half has passed since MS4 permittees were required to (e.g., elimination of eliminate~~ illicit connections/illicit discharges (IC/ID) into their MS4s, revisions to their SQMP, etc.) ~~their programs have not resulted in the elimination of ed standards violations at the beaches; and (d) Few permittees have ever documented revisions to their SQMP to address chronic exceedances of water quality standards at the beaches or in Basins D, E, and F of Marina del Rey Harbor.~~

Change 2. New findings 33, 34, and 35:

33. On March 14, 2007, Marina del Rey watershed responsible agencies submitted to the Regional Board the results of a non-point source study conducted over a one year period between July 2005 and July 2006, which was required under the terms of the MDR TMDL. The study was designed to determine the relative bacterial loading to the harbor from sources including but not limited to storm drains, boats, birds, and other non-point sources. The study has not yet been peer reviewed, and is currently under review by Regional Board staff.
34. On January 8, 2007, as required by the MDR Bacterial TMDL, Marina del Rey watershed responsible agencies submitted to the Regional Board an implementation plan describing the strategy by which they intend to comply with the MDR Bacterial TMDL. This implementation plan was developed through a process that included both Regional Board staff and representatives from Heal the Bay and Santa Monica Baykeeper.
35. The Regional Board acknowledges the County's timely submittals of reports required by the TMDL and implementation measures initiated thus far towards meeting water quality standards for bacteria in Marina del Rey. As a result of the adoption of the MDR Bacterial TMDL in 2003, the County has funded or received grants to initiate the following activities:
- Marina Beach Water Quality Improvement Project, Phase I and Phase II through a CBI grant;
  - Mothers' Beach and Back Basins Bacterial TMDL Non-point Source Study;

- Marina del Rey Harbor Mothers Beach and Back Basins Report of Small Drain Identification;
- Marina del Rey Vessel Discharge Report;
- Marina del Rey Harbor Mothers' Beach and Back Basins Bacterial TMDL Coordinated Monitoring Plan; and
- Two low-flow diversion projects, which were partially funded by a grant.

In addition to participation in the above studies, the County and other Marina del Rey watershed responsible agencies continue to implement BMPs proposed in the January 8, 2007, Implementation Plan.

Please note: The other findings remain unchanged, but are renumbered accordingly.